

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JAMES OLDFIELD,

Plaintiff,

v.

CIV. No. 10-558 WDS/ACT

CLARENCE G. DAVIS, et al.,

Defendants.

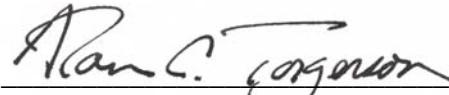
DISCOVERY ORDER

THIS MATTER comes before the Court on Defendants' Motion for Order That The Probation and Parole Division of the New Mexico Department of Corrections Produce Its Probation File [Doc. 38]. The Court, having reviewed the Motion, Plaintiff's Response [Doc. 40], and Defendants' Reply [Doc. 43], as well as the relevant law, will grant the Motion.

Defendants seek information from the Plaintiff's probation file which pertains to Plaintiff's damage claims, including information on Plaintiff's counseling and medical treatment as well employment status. [Doc. 38.] Plaintiff does not object to the release of information related to these topics, but objects to the production of the Plaintiff's entire probation file on the grounds that it contains information that is not reasonably calculated to lead to the discovery of relevant evidence. [Doc. 40.] Plaintiff suggests that the Court conduct an in camera inspection of the probation file and release only those portions which are relevant to the discovery in this case.

IT IS THEREFORE ORDERED that the Probation and Parole Division of the New

Mexico Department of Corrections produce Plaintiff's entire probation file for an in camera inspection by this Court no later than March 23, 2011.



Alan C. Torgerson
ALAN C. TORGERSON
United States Magistrate Judge